

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Civil No. 20-CV-888-KMM

ELIZABTH P.,

Plaintiff,

v.

ORDER

ANDREW SAUL,
Commissioner of Social Security,

Defendant.

This matter is before the Court on Plaintiff's Counsel's Petition for Attorney Fees under the Equal Access to Justice Act ("EAJA"). ECF 39. The Commissioner does not dispute that an award of fees under the EAJA is appropriate, and the parties have reached an agreement that an award of \$8,000 is reasonable under the circumstances. ECF 42.

Having reviewed Plaintiff's counsel's petition the Court finds (1) that Plaintiff is a prevailing party, 28 U.S.C. § 2412(b); (2) that she is eligible for an EAJA award because her net worth is under two million dollars, § 2412(d)(2)(B); (3) that Plaintiff's counsel seeks a reasonable hourly rate for compensation; and (4) that the agreed upon amount of fees to be awarded represents a reasonable attorney's fee in this case. The Court notes that the Commissioner has not claimed his position in this case was substantially justified, ECF 42, and Plaintiff's counsel has provided itemized time records reflecting necessary and appropriate work for a case of this nature.

Based on the foregoing, the Petition for Attorney Fees (**ECF 39**) is **GRANTED** as agreed to by the parties. The Commissioner shall pay an award of \$8,000 in attorney's fees

under the Equal Access to Justice Act directly to counsel. Pursuant to *Astrue v. Ratliff*, 130 S. Ct. 2521, 2524 (2010), and the parties' agreement, the payment shall be made by check, payable to Plaintiff, and sent to Plaintiff's counsel.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Date: April 5, 2021

s/ Katherine Menendez
Katherine Menendez
United States Magistrate Judge